

Notice of Allowability

Application No.

09/887,576

Examiner

Kuen S. Lu

Applicant(s)

LOY ET AL.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to October 21, 2005.
2. ☒ The allowed claim(s) is/are 1,4-23,26-45 and 48-69.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date #1 6/23/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other ids #2 6/29/05, #3 12/14/05.

DETAILED ACTION

1. After a thorough search and examination of the present application, and in light of the prior art made of record and Applicant's response of October 21, 2005, Claims 1, 4-23, 26-45 and 48-69 are allowed.

Reason for Allowable

2. The following is an examiner's statement of reasons for allowance:

In the Examiner's Office Action for non-Final Rejection of May 26, 2005, 35 U.S.C. 35 U.S.C. § 103, rejections was primarily based on the reference of 35 U.S.C. 103(a) as being unpatentable over Sun HPC ClusterTools 3.1, Administrator's Guide, Sun Microsystems, March 2000 (hereafter "SunHPC").

In the Remarks filed on October 21, 2005, the Applicant specifically pointed out that the SunHPC reference does not teach the use of a preunmount message event message prior to unmounting a file system instance, as recited by every of the currently amended independent claims 1, 23 and 45 and the subject matter is described below by the elements of the independent claims:

"sending, responsive to the further request, a preunmount event message to the first node; and

"responding to the preunmount event message so as to permit unmounting of the second file system instance without unmounting the first file system instance".

Note the instances of the parallel file system were mounted on the nodes in responding to a mount event message.

A further review of the search results conducted on the domains of EAST and NPL, including www.google.com, sun.com, dbavillage.com and oracle.com, the Examiner recognizes the prior art searched does not fairly teach this specific subject matter as previously described and quoted.

A most recent update search conducted as described below further reveals that the prior art does not fairly teach the subject matter as previously described and quoted:

A search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted on domains (EAST, ACM, Google, IEEE, Oracle, Sun Micro, etc.). The prior art searched and investigated in domains (EAST, ACM, Google, IEEE, Oracle, Sun Micro, etc.) does not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 1, 23 and 45. The claims 1, 23 and 45 is hereby considered and accepted.

The dependent claims in the groups (4-22, 67), (26-44, 68) and (48-66, 69) depending claims 1, 23 and 45, respectively, also distinct from the prior art for the same reason.


3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

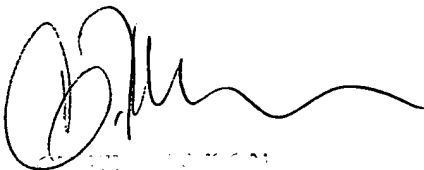
4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am - 5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu, 

Patent Examiner,

January 5, 2006



KUEN S. LU
PATENT EXAMINER